

Message Text

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ACTION ARA-10

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TO SECSTATE WASHDC 4365

UNCLAS CARACAS 9835

E.O. 11652: N/A

TAGS: PINS, ASEC, PINT, VE

SUBJ: NIEHOUS KIDNAPPING: SUPREME COURT AGREES TO REVIEW
THE CASE

REF: CARACAS 9811

1. ON AUGUST 12 THE SUPREME COURT OFFICIALLY AGREED TO REVIEW THE CASE OF DEPUTIES SALON MESA AND FORTUNATO HERRERA. THE COURT REQUESTED THE MILITARY JUDGES CONSIDERING THIS CASE TO PRESENT IMMEDIATELY TO THE COURT ALL EVIDENCE AND TESTIMONY THEY HOLD CONCERNING THE COMPLICITY OF THE TWO DEPUTIES. THE PRESIDENT OF THE SUPREME COURT, DR. MARTIN PEREZ GUEVARA, NOTED THAT THE TWO DEPUTIES WOULD REMAIN PRISONERS IN THE MILITARY PRISON UNTIL THE COURT RULES. DOCTOR GONZALEZ HERRERA, DEPUTY FORTUNATO HERRERA'S LAWYER, EXPRESSED SATISFACTION AT THE COURT'S DECISION TO FULLY REVIEW THE CONSTITUTIONALITY OF THE CASE.

2. PRESIDENT PEREZ, FOR HIS PART, TOLD REPORTERS THAT THE COURT'S REVIEW IS "EXTREMELY IMPORTANT" AND SUCH A REVIEW FOLLOWS FROM THE FACT THAT THE SUPREME COURT IS THE HIGHEST JURIDICAL INSITUION WHICH IS RESPONSIBLE FOR ESTABLISHING GUIDELINES FOR NATIONAL JUSTICE IN ACCORDANCE WITH THE CONSITUION AND THE LAWS. FORMER PRESIDENT CALDERA ALSO COMMENTED THAT EXCEPTIONAL MEASURES SHOULD BE TAKEN BY THE GOVERNMENT ONLY UNDER EXCEPTIONAL CIRCUMSTANCES AND CONFIRMED FURTHER THAT HIS INTER-
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VIEW AUGUST 11 WITH PRESIDENT PEREZ IMPLIED AN EFFORT ON THE PART

OF COPEI TO SEEK A CONSTRUCTIVE DIALOGUE WITH AD.

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